

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

GRADUAL TAYLOR,	:	CASE NO. C-1-02-446
Plaintiff,	:	(Judge Weber)
	:	(Magistrate Black)
v.	:	
CHERYL HART,	:	<u>AFFIDAVIT OF POLICE</u>
Defendant.	:	<u>OFFICER CHERYL HART</u>

I, Cheryl Hart, swear that:

- 1) I have been employed as a police officer in the Cincinnati Police Department since June of 1994.
- 2) On February 21, 2000, I was working with the vice unit as part of prostitution investigation. I was posing as a prostitute in the area of McMicken, Race, and Ohio Avenues. I was equipped with a body wire. Other plainclothes officers were nearby in case I needed assistance. They watched and listened to the investigation.
- 3) A grey Chevrolet Lumina bearing an Ohio plate drove slowly past me. The driver did this several times and made eye contact with me each time.
- 4) The driver stopped his car in front of me and told me to "Get in." I responded that "I don't take rides for nothing." The driver asked if I was a police officer. I said "No." The driver said "Have a nice day officer" and drove away. The car drove past me a few more times, the driver waved, and then I no longer observed the vehicle.

5) A few minutes later, I noticed the other officers working with me that day were arresting the driver who had parked his car on Ohio Avenue.

6) The identity of the driver was determined to be Gradual Taylor, the plaintiff in this case.

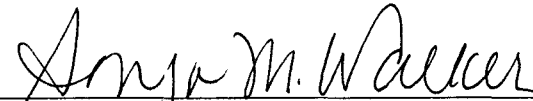
7) I signed the attached criminal complaint on February 21, 2000, describing Mr. Taylor's conduct. He was charged with loitering to solicit.

8) Subsequent to February 21, 2000, I had no authority to direct the efforts to prosecute Mr. Taylor.


Cheryl Hart

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

Sworn and subscribed in my presence this 157 day of March, 2007.


Notary Public

JLM/RG/(chs)
(Police) GTaylor - Hart's Affidavit 0207-RG



SONYA M. WALKER
Notary Public, State of Ohio
My Commission Expires 09-28-08

2907.24.1(A) LOITERING TO ENGAGE IN
SOLICITATION; ~~SOLICITATION~~
~~AFTER A POSITIVE HIV TEST~~

CASE NO. 00CR06706

COMPLAINT

HAMILTON COUNTY MUNICIPAL COURT

ARRESTED
THE DEFENDANT HEREIN
WAS PHYSICALLY ARRESTED
DATE 2/21/00

STATE OF OHIO vs. GRADUAL TAYLOR -
4005 SUPERIOR AV.
DEER PARK, OHIO 45236

P.O. C. HART being first duly cautioned and sworn, deposes
and says that GRADUAL TAYLOR on or about 2/21/00
in Hamilton County and State of Ohio, did knowingly (1) engage in conversation
while
in or near a public place and with purpose to solicit another to engage in sexual activity for hire, contrary to and in
violation of Section 2907.24.1(A) of the Revised Code of Ohio, a misdemeanor of the third degree.

The complainant states that this complaint is based on

above (P.O. Hart) was in plainclothes and Mr. Taylor
drove up to her and stated "Get in" after circling three times
He then stated "I think you're the police" and cursed
two more times waiting at her. He then sat across
from P.O. "watching her" operation."

Sworn to and subscribed before me this 2/21/00

KURT D. BYRD
Notary Public, State of Ohio
My Commission Expires Apr. 6, 2000
Notary Public/Deputy Clerk/Judge

Cheryl Hart P767
(Complainant)

Filed 2/21/00
JAMES C. CISSELL
Clerk of the Hamilton County Municipal Court

CWC3
(Address)

By [Signature]
Deputy Clerk

INSERTS FOR THE ABOVE:

1. (a) beckon to, stop, or attempt to stop another (or) (b) Engage, or attempt to engage another in conversation (or) (c) Stop or attempt to stop the operator or approach a stationary vehicle (or) (d) If the offender is the operator of or a passenger in a vehicle, stop, attempt to stop, beckon to, attempt to beckon to, or entice another to approach or enter the vehicle of which the offender is the operator or passenger (or) (e) Interfere with the passage of another

GRADUAL TAYLOR :
:
Plaintiff, :
vs. :
:
CHERYL HART, P767, et al. :
:
Defendants. :

ORIGINAL

He's" -- you know. And I don't know whether that happened or not. I don't think it did. But it's hard to do what you do, what I do, and have the thought that something like that is going to happen.

Q. Did you see any doctors as a result of what occurred that's the subject of the lawsuit?

A. No, I don't think so.

Q. Did you have any counseling as a result of the subject of the lawsuit?

A. No. I just -- let's see.

No. It just -- it was just very hard on me, and it didn't have to have been that way. It could have -- and a lot of that doesn't even have to do with Officer Hart. As soon as they knew that they had nothing, they should have just dropped it. But they went -- they kept going forward with it.

Q. You're talking about the prosecutors?

A. Yes. And, really, I have to say I really wish that Officer Hart did not file that Complaint, because if you look at it, I mean, it's not very good. Is it?

Q. Well, when --

A. It's not very good; it's not very good.

Q. What do you mean when you say it's not